

By:

Todd Steyer

S.B. No. 1836

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of nonborder areas for certain state assistance.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2306.581(1), Government Code, is amended to read as follows:

(1) "Colonia" means a geographic area ~~[located in a county some part of which is within 150 miles of the international border of this state and]~~ that:

(A) has a majority population composed of individuals and families of low income and very low income, based on the federal Office of Management and Budget poverty index, and meets the qualifications of an economically distressed area under Section 17.921, Water Code; or

(B) has the physical and economic characteristics of a colonia, as determined by the department.

SECTION 2. Section 15.951(2), Water Code, is amended to read as follows:

(2) "Colonia" has the meaning assigned by Section 2306.581, Government Code ~~[means a geographic area that:~~

~~[(A) is an economically distressed area as defined by Section 17.921, and~~

~~[(B) is located in a county any part of which is within 50 miles of an international border].~~

1 SECTION 3. The change in law made by this Act applies only
2 to an application for assistance that is filed on or after the
3 effective date of this Act.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2003.

1-1 By: Staples S.B. No. 1836
1-2 (In the Senate - Filed March 14, 2003; March 24, 2003, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 30, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 30, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1836 By: Staples

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to eligibility of nonborder areas for certain state
1-11 assistance.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (i), Section 15.407, Water Code, is
1-14 amended to read as follows:

1-15 (i) If, after submission of an application under this
1-16 section, a county fails to meet ~~[has an increase in average per~~
1-17 ~~capita income or a decrease in unemployment rate average so that the~~
1-18 ~~county no longer meets]~~ the definition of an affected county in
1-19 Section 16.341, the political subdivision that submits the
1-20 application continues to be eligible for the funds under this
1-21 section, and the board shall process the application for facility
1-22 engineering and, if the application is approved, shall provide
1-23 funds for the facility engineering plan to the political
1-24 subdivision.

1-25 SECTION 2. Subdivision (1), Section 16.341, Water Code, is
1-26 amended to read as follows:

1-27 (1) "Affected county" means a county that:

1-28 (A) ~~[that]~~ has a per capita income that averaged
1-29 25 percent below the state average for the most recent three
1-30 consecutive years for which statistics are available and an
1-31 unemployment rate that averaged 25 percent above the state average
1-32 for the most recent three consecutive years for which statistics
1-33 are available; ~~[or]~~

1-34 (B) ~~[that]~~ is adjacent to an international
1-35 border; or

1-36 (C) is otherwise eligible for financial
1-37 assistance under Subchapter K, Chapter 17.

1-38 SECTION 3. Section 17.923, Water Code, is amended to read as
1-39 follows:

1-40 Sec. 17.923. COUNTY ELIGIBILITY FOR FINANCIAL ASSISTANCE.

1-41 (a) To be eligible for financial assistance under this subchapter,
1-42 a county:

1-43 (1) must have a per capita income that averaged 25
1-44 percent below the state average for the most recent three
1-45 consecutive years for which statistics are available and an
1-46 unemployment rate that averaged 25 percent above the state average
1-47 for the most recent three consecutive years for which statistics
1-48 are available; or

1-49 (2) must be located adjacent to an international
1-50 border.

1-51 (b) Notwithstanding Subsection (a), if the board adopts a
1-52 resolution stating that the proceeds of the bonds authorized by
1-53 Section 49-d-7(b), Article III, Texas Constitution, have been fully
1-54 committed, any county with an economically distressed area is
1-55 eligible for financial assistance under this subchapter beginning
1-56 on the date the resolution is adopted.

1-57 SECTION 4. This Act takes effect immediately if it receives
1-58 a vote of two-thirds of all the members elected to each house, as
1-59 provided by Section 39, Article III, Texas Constitution. If this
1-60 Act does not receive the vote necessary for immediate effect, this
1-61 Act takes effect September 1, 2003.

1-62 * * * * *

FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 1836
By Staples
(Author/Senate Sponsor)
4-30-03
(date)

We, your Committee on STATE AFFAIRS, to which was referred the attached measure,
have on 4-28-03, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed
☒ the caption remained the same as original measure
☐ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☐ no

Considered by subcommittee. ☐ yes ☐ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator William R. Ratliff, Chair			<input checked="" type="checkbox"/>	
Senator Todd Staples, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Ken Armbrister			<input checked="" type="checkbox"/>	
Senator Robert Duncan			<input checked="" type="checkbox"/>	
Senator Rodney Ellis	<input checked="" type="checkbox"/>			
Senator Troy Fraser	<input checked="" type="checkbox"/>			
Senator Chris Harris	<input checked="" type="checkbox"/>			
Senator Frank Madla			<input checked="" type="checkbox"/>	
Senator Jane Nelson	<input checked="" type="checkbox"/>			
TOTAL VOTES	5	0	4	0

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

Nancy Brubaker
COMMITTEE CLERK

Ratliff
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute
Retain one copy of this form for Committee files

WITNESS LIST

SB 1836

SENATE COMMITTEE REPORT

State Affairs

April 28, 2003 - 8:00AM

FOR: Brown, Nettie F. (Northridge Acres Homeowner's Assoc.), Austin, TX

BILL ANALYSIS

Senate Research Center
78R12377 KEL-F

C.S.S.B. 1836
By: Staples
State Affairs
4/29/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the Texas Water Development Board (TWDB) is authorized to issue up to \$250 million in bonds to finance water and wastewater projects in "economically distressed areas." C.S.S.B. 1836 expands the eligibility for funding from the bond revenues to include more counties that meet the definition of "economically distressed," but the counties can receive funding only after all the current authorized bond funds have been obligated.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 15.407(i), Water Code, to provide that if, after submission of an application under this section, a county fails to meet the definition of an affected county in Section 16.341, the political subdivision that submits the application continues to be eligible for the funds under this section. Deletes text specifying how a county could no longer meet the definition of "affected county."

SECTION 2. Amends Section 16.341(1), Water Code, to redefine "affected county."

SECTION 3. Amends Section 17.923, Water Code, to provide that, notwithstanding Subsection (a), if the Texas Water Development Board adopts a resolution stating that the proceeds of the bonds authorized by Section 49-d-7(b), Article III, Texas Constitution, have been fully committed, any county with an economically distressed area is eligible for financial assistance under this subchapter beginning on the date the resolution is adopted.

SECTION 4. Effective date: upon passage or September 1, 2003.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 29, 2003

TO: Honorable Bill Ratliff, Chair, Senate Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1836 by Staples (Relating to eligibility of nonborder areas for certain state assistance.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Water Code to broaden the eligibility for nonborder counties to qualify for certain state assistance. The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2003.

Broadening the criteria could result in an increase in the number of entities eligible for state financial assistance under various sections of the Water Code, and thereby the demand for such assistance; however, it is not expected to result in significant cost increases to the state because such entities would already be eligible for existing similar state agency programs.

Local Government Impact

The bill could result in certain political subdivisions being eligible for additional grant funds and loan assistance at reduced interest rates; however, since such entities would likely be eligible for similar financial assistance programs under current law, no significant fiscal implications are expected.

Source Agencies: 357 Office of Rural Community Affairs, 580 Water Development Board, 582
Commission on Environmental Quality

LBB Staff: JK, DLBa, RR, TL

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 27, 2003

TO: Honorable Bill Ratliff, Chair, Senate Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1836 by Staples (Relating to the eligibility of nonborder areas for certain state assistance.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill would remove language defining colonias as areas within proximity to the border with Mexico. This could increase the number of entities eligible for financial assistance for colonias, and thereby the demand for such assistance, but it is not expected to result in significant cost increases to the state, since such entities would already be eligible for existing similar state agency programs.

Local Government Impact

The bill could result in certain political subdivisions being eligible for additional grant funds and loan assistance at reduced interest rates. However, since such entities would likely be eligible for similar financial assistance programs under current law, no significant fiscal implications are expected.

Source Agencies: 357 Office of Rural Community Affairs, 580 Water Development Board, 582
Commission on Environmental Quality

LBB Staff: JK, RR, TL

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SB 1836, by Staples,
(Bill No.) (Author/Sponsor)
was heard by the Committee on State Affairs on 4-28, 2003,
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Nancy B. Hall
(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

S.B. No. 1836

By Todd Steyer

A BILL TO BE ENTITLED

AN ACT:
relating to the eligibility of nonborder areas for certain state assistance.

MAR 14 2003

Filed with the Secretary of the Senate

MAR 24 2003

Read and referred to Committee on STATE AFFAIRS

Reported favorably _____

APR 30 2003

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent
_____ yeas, _____ nays

Read second time, _____, and ordered engrossed by: { unanimous consent
a viva voce vote
_____ yeas, _____ nays

Senate and Constitutional 3 Day Rule suspended by a vote of _____ yeas, _____ nays.

Read third time, _____, and passed by: { A viva voce vote
_____ yeas, _____ nays

SECRETARY OF THE SENATE

OTHER ACTION:

_____ Engrossed
_____ Sent to House

Engrossing Clerk _____

Received from the Senate

Read first time and referred to Committee on _____

Reported ____ favorably (as amended) (as substituted)

Sent to Committee on (Calendars) (Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting.

Read third time (amended); finally passed (failed to pass) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

Returned to Senate.

CHIEF CLERK OF THE HOUSE

_____ Returned from House without amendment.
_____ Returned from House with _____ amendments.
_____ Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____.

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays